UNITED
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Security Council

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S/23956
18 May 1992
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 18 MAY 1992 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I should like to inform you that over the period 7-12 May 1992 United States aircraft have persisted in their violations of Iraqi airspace for purposes of observation and provocation.

7-8 May 1992

Twenty-four sorties, flown by eight 2-aircraft formations and eight single aircraft at speeds of 600-800 km/h and at altitudes of 3,500-5,500 metres, centred over Mosul, Amadiyah, Tall Afar, Irbil, Zakho and Dohuk.

8-9 May 1992

Five sorties, flown by two 2-aircraft formations and one single aircraft at speeds of 600-850 km/h and at altitudes of 5,000-6,500 metres, centred over Mosul, Dohuk, Amadiyah, and Zakho.

9-10 May 1992

Twenty-one sorties, flown by eight 2-aircraft formations, one 3-aircraft formation and two single aircraft at speeds of 600-900 km/h and at altitudes of 5,000-6,500 metres, centred over Mosul, Dohuk, Zakho, Arbil, Tall Afar and Amadiyah.

10-11 May 1992

Twenty-five sorties, flown by eight 2-aircraft formations and nine single aircraft at speeds of 600-800 km/h and at altitudes of 5,000-8,000 metres, centred over Mosul, Arbil, Dohuk, Tall Afar, Zakho and Amadiyah.

11-12 May 1992

Twenty-two sorties, flown by ten 2-aircraft formations and two single aircraft at speeds of 600-850 km/h and at altitudes of 5,000-6,000 metres, centred over Mosul, Amadiyah, Zakho, Dohuk and Arbil.

12 May 1992

One sortie by a 2-aircraft formation detected over Amadiyah at a speed of 900 km/h and at medium altitude.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Abd al-Amir AL-ANBARI
Ambassador
Permanent Representative

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UNITED
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Security Council

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S/23957
19 May 1992

ORIGINAL: ENGLISH

# LETTER DATED 15 MAY 1992 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF SOMALIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Allow me to thank you and the members of the Security Council, once again, for your ceaseless efforts to resolve the crisis in my country - Somalia - and for adopting resolution 751 (1992) in this regard. Furthermore, I can only remain deeply gratified for the Secretary-General's tireless endeavours in search for solutions in implementing the Council's recommendations. I am particularly grateful that a Special Representative has been appointed to Somalia under the auspices of the Council and in accordance with the said resolution.

I find it the role of my Mission, as much as it is a personal obligation, to respond on behalf of the most neutral voice of my fractured nation. I remain seized of such opportunities as would enable me to provide constructive feedback and sincere reactions to events and issues that matter to the Council in their endeavours to assist my nation to solve its problems. This letter represents one such opportunity and I hope you and the members of the Council will find it as I avow it is. I also hope that you will find the suggestions contained herein positively bearing on your deliberations which I consider of immediate as well as eventual concern to all segments of my divided nation.

I would therefore be grateful if this letter and its annex were circulated in their entirety as a document of the Security Council.

(Signed) Ms. Fatun Mohamed HASSAN
Chargé d'affaires a.i.

Annex

SOME ISSUES OF CRITICAL IMPLICATIONS FOR THE SOMALI CRISIS

It is gratifying to note that the cease-fire in Mogadishu has been holding and humanitarian assistance has been reaching the affected population in and around Mogadishu. Another significant development has been that the former President finally left the country. But the situation has been worsening in some other parts of the country. For instance, in the north and specifically in areas immediately controlled by the Somali National Movement (SNM), the security situation has deteriorated despite relative calm in the last year or so. In the south, there has been heavy fighting between factions to the south and west of Mogadishu. The violence in other parts does not seem to have gained equal attention from the international community. The plight and suffering of people in those other parts is equal in magnitude to that in Mogadishu, but they lack media representation and non-governmental organization residence to report about their conditions.

Notwithstanding the wilful and sincere undertaking of the Security Council to intervene, the new developments complicate matters much more. The agreements that the United Nations Technical Team has obtained, annexed to the Secretary-General's report (S/23829), from some leaders during its visits to some places in the country appear not to be binding. Indeed, reports about growing antagonism towards the deployment of United Nations forces in Somalia are on the increase. Much more discouraging, I am afraid, is that the criticisms have been coming not only from the clan, militia and party leaders that have not been visited by the Technical Team, but also from those leaders who have personally signed the agreements or from their designated spokesmen and representatives.

Our letter (S/23763) discussed some aspects of the challenge that lay ahead for the international community in tackling the Somali crisis. It tried to draw some parameters for action, in their light, which, I honestly believed, would ensure optimum conditions for fair political representation in the interest of peace and the equitable distribution of relief assistance. It has been disappointing that the first steps of the United Nations intervention has drawn as much antagonism from my country's leaders as has been reported in the international media. This antagonism manifested by almost all factions is not difficult to understand. There are a number of factors of historical significance which underpin the current Somali political arena and which need to be understood in addressing the question.

Firstly, perhaps out of frustration with the failure of modern polity, government institutions and State, the Somalis appear to have resorted to their pristine and familiar, albeit minimally effective, system of organization - tribalism or clanism. Clanism as a political organization does not recruit its supporters and advocates in terms of their adherence to ideologies or intellectual clap-trap of theories, but has its converts already borne into it and their membership automatic by right of belonging - hence,

their loyalties a must and, in turn, their protection an obligation of the entire clan. That is why each clan ironically harbours its own members of the former regime and keeps them well protected within its enclave, no matter the magnitude of alleged wrongdoing. However, the units of this clan-based organization are loosely coordinated and there is no systematic consultation between them. Hence any agreements with any one leader run the risk of being broken because of opposition from within his faction, let alone others.

Secondly, the antagonism emanates from a background ridden with experiences of political manipulation and injustice in which the former regime had constantly exploited political differences for its own ends of self-perpetuation. In addition to the discord and mistrust sown between the various clans and factions, the regime has left an attitude of suspicion and leeriness to any central authority. Thus, the people have been exploited so much and so long that they have become sceptical about the neutrality of any new central authority, especially that which would not lend itself to collective participation. Unfounded fear, that the United Nations assistance might be to the benefit of one faction or the other, is paramount and prevalent in this background. Perhaps one should not fail to appreciate that present-day Somalia does require the services of social scientists as much as it needs the services of international forces.

Thirdly, and even more saddening, is the tendency of some, otherwise well-meaning, friendly countries to seek more than just the reinstitution of the Somali State. These countries, in addition, tend to see their vested interests in parallel with the seemingly more objective cause they are pursuing. There are indications that these countries have implicated themselves by naively intervening in ways incompatible with the nature of the unpredictable Somali situation. Sadly enough, these countries have engaged in activities that seemed revealing of their favour for one clan or another, in both the sphere of war and the arena of diplomacy, therefore discrediting themselves with those clans that missed their patronage. There are many such nations which have lost their credibility with the one clan or another because of perceptions of partiality in the roles they have allegedly played in the situation. With this perspective in the background, the factions would remain wary of any foreign involvement unless convincingly shown otherwise.

But the deployment of United Nations forces which seems to be the centre of the Somali antagonism has also generated some debate in an international context. There are those who allege that some of the economically powerful nations in the "new world order" were not forthcoming with the required resources because the Somali case ranks low in their priorities of world issues and problems. These nations, the argument runs, consider their contributions as opportunities forgone in the expense of more important issues in more important parts of the world. This argument, I believe, is not all that convincing and I certainly do not subscribe to it. The involvement of the United Nations at the level of the Security Council is indicative of the degree of concern and importance attached to the Somali crisis and we are indeed grateful. However, counter-arguments to this politically charged view are some that generally run the risk of being misconstrued because of

Somalia's volatile and illusive situation. Many standpoints that would have otherwise been considered noble and appreciable, in relation to any other place and time, can be perceived as complacency on the part of the more economically powerful nations here, especially when there are persistent international media cries for help to my doomed nation.

The international debate and the aversion displayed by protagonists in Somalia reflect two different contexts of the same scenario. At the one end, these controversies pose themselves in the form of rational and mature arguments in the corridors of high civility and modern diplomacy in the capitals which host international organizations and regional groups. However, on the two sides of the so-called "peace corridors" or "zones" in places like today's Mogadishu, which is the other end, these concerns reflect themselves in more than mere arguments. Rather, they manifest themselves as zest on the two sides of the "corridor" in a game of win-or-lose which lamentably involves the lives of millions. Examples of the one end of this reality have been experienced in the conference rooms of the international community, while the other has been merely and scarcely reported by a few visitors of my deplorable capital and my wretched kinsmen, who have opted for brutality and primitive measures in solving their problems.

It remains to be said: firstly, the issue is more about "sense" than dollars. Secondly, it should not be viewed in the context of the jungle of "South-North" dialogue or "first-world" - "third-world" politics. Thirdly, and most importantly, the intervention should not appear to warlords in my country as a motive for contest or a new opportunity to seize for achieving diplomatic coups, or gains in military terms, over their opponents in their callous and inhuman games. I am concerned that, unfortunately, such is the course that events appear to be running.

All must be reminded for now that the Somali case was presented to the Security Council in an attempt to seek the support of the international community as "one" in its pursuit of saving my nation from further bleeding. The greatest cost this involves for all interested nations is to put their will and weight behind the efforts to rescue Somalia before their own vested interests. Further, all Somalis would be eventually grateful for any just and fair arbitration that leads to the restoration of their statehood. But, in retrospect, they will be condemning any biased interference by anyone else or any other nation. In this case, the old saying applies: "one has not only to be fair, but has to be seen as fair". It must be strongly emphasized, once again, that any intervention to resolve the Somali crisis must be seen as fair to all constituent clans, sub-clans, factions, movements and parties. No doubt this is the principle and the collective will of the Council.

However, there are two significant but intricately overlapping aspects to presenting fairness in the specific political context of Somalia. The first is the obvious one, it is to ensure the fair representation of all clans in all the stages of the process of intervention, and the Security Council was already apprised of the inter-clan nature of the Somali conflict in an earlier letter (S/23507 and Corr.1). However, it must be stressed further that, while

the inter-clan perspective of the conflict is necessary for analysing and understanding the situation, it is not sufficient for resolving the problems.

This brings us to the second, and ultimately the more significant one, which in a sense builds on the first, and can escape attention. It is the cross-clan dimension of the conflict. Granted that the Somalis, in freeing themselves from an oppressive system, had to fall back to the only other familiar system they knew well enough. That does not mean that they wish to remain divided along clan lines. Efforts to resolve the conflict must therefore ultimately focus on the cross-clan dimension of the conflict. Deeply studied, the crisis will reveal that the political conflict that led to the civil war in Somalia was not only and originally between clans. It was also essentially a conflict of interest between the three economic groups in the society - nomadic, rural and urban - reflecting the traditional disparity between these economic groups in terms of power sharing, economic benefits and the availability of social services. Thus, a cross-section of the social clan-based structure reveals another form of social and economic division that warrants fairness in representation even within the one clan. It is worthy of emphasis that the cross-clan perspective is important since it will eventually be the basis for restored unity and stability. Further, it will be the perspective that will be necessarily adopted by any future responsible and effective government which will, by devolution, give a sense of belonging to all. I trust that the United Nations efforts will already envisage some forward-reaching in the process, to pave the way for this important outcome.

It must be clearly highlighted at this juncture that politicians and military leaders identify with the upper crest of the social order which, comprising only townspeople including the educated minority, makes not more than 20 per cent of the population, at best. Traditional leadership, on the other hand, although weakened by over 30 years of semi-modern government and particularly undermined for over two decades by a harsh military dictatorship, does still enjoy influence and respect with the nomadic and rural majority comprising 80 per cent of the population. Fairness in representation along cross-clan lines, signifying the socio-economic grouping of the population, would mean drawing upon views and aspirations of similar population sectors from across the board of clans. It was gratifying to note that the Secretary-General's report (S/23829) indicates a recognition of the potential role of elders and traditional leaders as regards the distribution of relief assistance. But, it must also be appreciated that these are equally influential in matters of war and peace.

Before concluding, I must mention that in previous correspondence (S/23507 and Corr.1), it was humbly indicated that some essential prerequisites for the success of an effective intervention would include: firstly, to ensure that all entities or factions should be identified with a view to all of them gaining the recognition of one another, which will facilitate an assembly of the whole nation; and secondly, to overcome the barriers of communication between the different factions. In the meantime, and while erstwhile divisions on the basis of clanism is the order of the day, it is incumbent on those assisting - to reinstate the nation - to reach beyond

the obvious in terms of both form and substance. It would be advisable, therefore, that mechanisms be established in this early stage to ensure a form of representation which would also facilitate the flow of communication between the various entities on matters of immediate concern, i.e. arrangements for the distribution of relief assistance.

In the light of the foregoing, I am inclined to propose an arrangement that would involve the creation of a consultative group of representatives from all contestant factions for consultation. The group would also be used as channels for communication with their respective factions by those assisting. Representatives would be working with their political and clan leadership but would in addition work with the local non-governmental organizations that all enclaves are now seen to have created or are in the process of forming. It would mean the opening of new lines of communication to replace those that have been blocked or carried distorted messages. But, most importantly, the group would be encouraged and nurtured as a forum for the exchange of views and ideas, for restoring constructive interaction and for building new bridges of confidence between the various factions for the first time in a while. Furthermore, the very function of such a representation will automatically, but eventually, define the number and nature of political grouping that merits consideration for participation to ensure fairness in all subsequent stages of the United Nations intervention. Technically, the group will also be involved in planning for subsequent stages of the intervention leading to the reconciliation conference. Such an arrangement would also ensure a form of gradual but collective participation of the Somalis in their affairs, the value of which is unequalled for peace and eventual reconciliation.

Since there is no safe and secure place in the country for all Somalis, the group will have to be based in one of the capitals of neighbouring countries through agreement with the would-be host Government. Nairobi is an obvious place since it also hosts - thanks to the Government of Kenya - the United Nations representation for Somalia. Of course, these representatives will necessarily be deputized and accredited by the leaders of their respective entities, and the number from each faction will be determined with them, on the one condition that they are all represented on an equal basis. A basic criterion that will need to be necessarily imposed is that these representatives should be educated enough and can speak one of the United Nations languages to be agreed on. It should not, however, be interpreted to mean a government-in-exile and should as such be agreed with all factions, and accordingly executed. Finally, before bringing this tiring paper to its end, four points need to be strongly but humbly emphasized.

First, hostage of its old perceptions, the world continues focused on a nostalgic Somalia that has changed and may never come back the same. In passing, all must keep an open mind about the notion of a future Somali State. Any realistic revival of the Somali unity and statehood may involve a renegotiation of all its present symbols, including capital, flag and terms of union, to say the least. It must be re-emphasized in any case that efforts to arrange for cease-fires in all parts of Somalia should be launched as a matter

of priority. On a similar note, it must be reiterated that there is a dire and urgent need for a multi-clan assembly, involving elders and traditional leaders, for an all-encompassing cease-fire.

Secondly, I have a strong feeling that the protracted Somali crisis will not be and cannot be resolved in any one single-shot exercise of isolated events or in a piecemeal fashion. Any magic, political formula must necessarily be process-oriented, exhaustive, comprehensive as well as far-reaching and must ultimately appeal to all views and aspirations along clan as well as cross-clan lines to draw support from all clans and factions as well as all sectors of the population. Only devices conceived in this spirit, I believe, could make the first steps towards bringing back together a nation that has drifted apart along the divide of clans and sub-clans, concealing its social decay and economic miseries beneath them.

Thirdly, the United Nations involvement, at the level of its highest governing body, the Security Council - it must be anticipated - could be the last resort for resolving the Somali dilemma. It will be sad to see its efforts fail because of mistrust by my already inflicted people, or at least segments of them, as might be generated by the idiosyncrasies of cursory action or inadvertent mishaps.

Fourthly, I believe that, in the end, only that which is just and fair will be right for all Somalis and will prevail to enable the restoration of peace, unity and stability. But equity and fairness are more perception-related than necessarily actual and can only be effectively served through ensuring participation by all contestants in one's efforts of mediation. It follows logically and automatically that no one can guarantee any one contentment and satisfaction in these spheres except through his own self-representation. Fair representation does not only foster the justice and democracy that Somalis are all seeking through their callous and primitive ways, but it is also a necessity for any successful mediation. I am sure that the United Nations will sponsor only that which embodies these virtues in Somalia. I therefore hope that, in addition to enforcing the arms embargo already imposed, the Security Council will be able to adopt measures that will proscribe all forms of intervention that may seem or be deemed to be biased and partial.

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NOTE VERBALE DATED 15 MAY 1992 FROM THE PERMANENT MISSION OF COTE D'IVOIRE TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of the Republic of Côte d'Ivoire to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to transmit to him herewith a letter from the Ministry of Foreign Affairs of Côte d'Ivoire concerning Security Council resolution 748 (1992).

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Annex

Letter dated 4 May 1992 from the Minister for Foreign Affairs of Côte d'Ivoire addressed to the Secretary-General

In reply to your telex No. WUCA 3048 dated 1 April 1992, communicating the text of resolution 748 (1992) adopted by the Security Council of the United Nations on 31 March 1992, and pursuant to said resolution, I have the honour to inform you as follows:

At the diplomatic level, Côte d'Ivoire established diplomatic relations with Libya on 6 October 1989.

The Embassy of the Socialist People's Libyan Arab Jamahiriya in Abidjan comprises four diplomats and is headed by a Chargé d'affaires a.i.

Côte d'Ivoire for its part has no diplomatic representation in Libya at present.

At the military level, there is no agreement on military cooperation between Côte d'Ivoire and Libya. As regards air transport, there is no agreement nor is there any air traffic between the two countries.

Accordingly, there are no special measures for Côte d'Ivoire to take in the context of the implementation of the above-mentioned resolution.

Furthermore, Côte d'Ivoire wishes to reiterate its wholehearted condemnation of terrorism in all its forms and to reaffirm its determination to cooperate fully with the United Nations in the complete implementation of the above-mentioned resolution.

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19 May 1992

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NOTE VERBALE DATED 15 MAY 1992 FROM THE PERMANENT MISSION OF MALTA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Malta to the United Nations presents its compliments to the Secretary-General and, with reference to his note of 3 April 1992, has the honour to report on measures instituted by Malta for meeting the obligations set out in paragraphs 3 to 7 of Security Council resolution 748 (1992) of 31 March 1992.

The provisions of Security Council resolution 748 (1992) have been brought to the attention of all ministers and parliamentary secretaries for necessary action towards the effective implementation of the said resolution. Reports received from ministries and departments confirmed that the measures contemplated in the resolution are being implemented.

In particular, with regard to aerial navigation, steps have been taken to deny permission to any aircraft to take off from, land in or overfly Malta's territory, taking off or destined to land in Libya.

Aeroflot flights from Moscow to Tripoli and back on 4, 5 and 6 May 1992 were allowed, on humanitarian grounds, to overfly Malta's territory after the necessary clearance and approval were obtained and given by the Security Council Committee in accordance with paragraph 9 of resolution 748 (1992).

Action has been taken to prevent operations of the Libyan Arab Airline Offices.

Malta, through a note verbale, informed Libya that a member of Libya's diplomatic mission had to be recalled. This has been complied with.

Customs Authorities have been alerted to exercise the necessary control on all exports to Libya to observe the provisions of the resolution.

On 8 May 1992, the Security Council Committee established by resolution 748 (1992) was requested by the Maltese authorities to declare whether certain goods landed in Malta and destined for Libya fall under the prohibitions indicated in the resolution.

Export regulations were amended by legal notice 42 of 1992 to ensure compliance with the Security Council resolution imposing sanctions. (A copy of legal notice 42 of 1992 is enclosed.)

Malta wishes to inform that it is the consistent policy of the Government of Malta not to produce or export arms and military equipment to other countries at all times. Malta is complying fully with the obligations set out in paragraph 5 of resolution 748 (1992).

Annex

Legal Notice 42 of 1992

SUPPLIES AND SERVICES ACT (CAP 117)

Exportation (Control) (Amendment) Regulations 1992

In exercise of the powers conferred by section 3 of the Supplies and Services Act, the Minister of Finance has made the following regulations:

1. These regulations may be cited as the Exportation (Control) (Amendment) Regulations, 1992, and shall be read and construed as one with the Exportation (Control) Regulation 1948, hereinafter referred to as "the principal regulations".

2. Immediately after regulation 3 of the principal regulations there shall be added the following regulation:

"General prohibition

3A. (1) Notwithstanding the provisions of any other regulation, the exportation of any goods from these islands to any destination, where the exportation of such goods to such destination is prohibited by a resolution of the Security Council of the United Nations under Chapter VII of the United Nations Charter is hereby prohibited and no licence shall be issued for such exportation.

(2) For the purposes of paragraph (1) of this regulation, the Director shall by notice in the Gazette publish from time to time any resolution to which the said paragraph applies.

(3) The provisions of this regulation shall also apply to any goods referred to in paragraph (1) hereof, originating from outside these islands and landed therein only for the purpose of transshipment."

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NOTE VERBALE DATED 15 MAY 1992 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE NETHERLANDS TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Acting Permanent Representative of the Netherlands to the United Nations presents his compliments to the Secretary-General of the United Nations and, with reference to the latter's note of 3 April 1992, has the honour to transmit the following information on the measures adopted by the Netherlands pursuant to Security Council resolution 748 (1992). These measures were implemented under regulation 945/92 of 14 April 1992 of the Council of the European Communities. Furthermore, the Netherlands Government issued a "Sanctions Decree, Aviation and Arms, Libya" on 15 April 1992, that is, inter alia, based upon the aforementioned European Council regulation.

1. Sanctions related to aerial navigation

Sanctions set out in paragraph 4 of resolution 748 (1992) have been implemented in the Netherlands pursuant to the Netherlands "Sanctions Decree, Aviation and Arms, Libya" of 15 April 1992 and European Council regulation 945/92 of 14 April that prohibits, on the territory of the Communities, inter alia, air traffic to and from the Libyan Arab Jamahiriya, the sale of aircraft components to that country, technical assistance of any sort to Libyan aircraft, payments of insurance claims concerning existing contracts covering Libyan aircraft, as well as the conclusion of new contracts of this nature, and the operation of all Libyan Airline Offices.

2. Military embargo

Sanctions set out in paragraph 5 of resolution 748 (1992) have been implemented by the Netherlands "Sanctions Decree, Aviation and Arms, Libya" of 15 April 1992, which prohibits:

The export to the Libyan Arab Jamahiriya of:

- Items which figure on the military COCOM list;

- Items which figure on the nuclear COCOM list;

- Items on all lists which have been brought under export control by virtue of the respective non-proliferation regimes;

- Paramilitary equipment, which is defined by quoting certain posts of the Economic Communities customs tariff list;

- The export to the Libyan Arab Jamahiriya of items for the production or maintenance of the above-mentioned items;

- The export to the Libyan Arab Jamahiriya, to persons living or remaining in the Libyan Arab Jamahiriya, or to any institution residing in the Libyan Arab Jamahiriya, of licensing arrangements or technical knowledge for the manufacture or maintenance of the above-mentioned items;

- The provision of technical advice and assistance, as well as training, for the provision, manufacture, maintenance or use of the above-mentioned items.

These provisions will apply notwithstanding any rights or obligations, derived from international agreements, contracts, licensing arrangements or permits.

3. Measures in respect of Libyan diplomatic and consular missions

With reference to paragraph 6 (a) of resolution 748 (1992) the Netherlands Government has informed by note of 15 April 1992 the Libyan Mission in Brussels that the accreditation of one Libyan diplomat had been terminated and that the latter's access to the Netherlands territory had been prohibited.

With reference to paragraph 6 (b) of resolution 748 (1992), all activities of the Libyan Airline Office have been prohibited.

All above-mentioned measures have been implemented in accordance with paragraph 7 of Security Council resolution 748 (1992) that states that the provisions of this resolution will apply notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted prior to 15 April 1992.

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NOTE VERBALE DATED 15 MAY 1992 FROM THE PERMANENT MISSION OF PORTUGAL TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Portugal to the United Nations presents its compliments to the Secretary-General of the United Nations and, in reply to his note verbale of 3 April 1992, has the honour to inform him of the measures taken by Portugal, at the national level, to implement Security Council resolution 748 (1992).

1. Diplomatic representation of the Libyan Arab Jamahiriya in Lisbon:

The Libyan diplomatic staff was reduced to three people, one administrative attaché having been expelled; the chargé d'affaires and two attachés remained in Lisbon.

In accordance with provisions in effect since April 1986, the remaining Libyan diplomats are required to obtain an authorization prior to travelling beyond a 30-kilometre limit.

2. Air embargo:

The Direcçao-Geral de Aviaçao Civil (General Directorate for Civil Aviation) informed all airports and traffic control authorities in Portugal of a ban imposed by regulation 945/92 of the Council of the European Communities to prevent any aircraft from flying from or to the Libyan Arab Jamahiriya to overfly national territory and use national airports (Council regulation 945/92 of 14 April 1992 provides for uniform application within the Community). It also informed that any lifting of this ban that might be authorized by the Committee created by the Security Council shall be expressly communicated to the Direcçao-Geral de Aviaçao Civil.

There are no flights to or from the Libyan Arab Jamahiriya by any Portuguese airline. The Libyan Arab Airlines does not have offices in Portugal.

The Portuguese civil aviation companies (transports, air services, maintenance) have been advised of a ban on the supply of aeronautical

equipment (aircraft and aircraft components), as well as on engineering services and maintenance.

The Instituto de Seguros de Portugal (Portuguese Insurance Institute) has also been advised with a view to banning air transportation insurance or the settlement of claims on to existing agreements.

3. Military embargo:

The competent authorities informed the national companies operating with armaments about the ban imposed by paragraph 5 of Security Council resolution 748 (1992).

Under the current system, prior authorization for the export of matériel and military equipment (licensing) ensures compliance with the referred ban.

4. The text of Security Council resolution 748 (1992) was published in the Portuguese Official Journal.

In addition to the measures described above, Portugal, as a State member of the European Communities, is implementing the measures which have been adopted by the Communities in this regard.

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19 May 1992

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NOTE VERBALE DATED 15 MAY 1992 FROM THE PERMANENT MISSION OF IRELAND TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Ireland to the United Nations has the honour, with reference to the Secretary-General's note verbale SPC/1/92 of 3 April 1992, to report herein on the national measures undertaken by Ireland to comply with the specific obligations set out in paragraphs 4 to 7 of Security Council resolution 748 (1992).

In addition to the measures detailed below, the Presidency of the European Community will be providing information on the measures taken by the Community to implement resolution 748 (1992).

Regarding paragraph 4 of resolution 748 (1992), all Irish airlines have been advised of this provision and a Ministerial Order was made on 15 April 1992 to ensure compliance with the paragraph's requirements. All relevant companies operating in Ireland have been notified of the ban imposed by this paragraph of the resolution. The Control of Exports Act 1983 makes it obligatory to obtain a licence for the export of aircraft parts to the Libyan Arab Jamahiriya among other countries. In addition, Regulation 945/92 adopted by the European Community and its member States prohibits in the territory of the Community, air traffic to and from the Libyan Arab Jamahiriya, the sale of aircraft components to that country, technical assistance of any sort to Libyan aircraft, payment of insurance claims concerning existing contracts covering Libyan aircraft as well as the conclusion of new contracts of this nature, and the operation of all Libyan Arab Airline offices.

Regarding paragraph 5, the prohibition on the export of arms to the Libyan Arab Jamahiriya is currently implemented under the Control of Exports Act, 1983. Licences to companies exporting to the Libyan Arab Jamahiriya are subject to review on a case-by-case basis in accordance with the terms of that paragraph. Ireland has no officials or agents present in the Libyan Arab Jamahiriya to advise the Libyan authorities on military matters.

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Regarding paragraph 6, there are no Libyan diplomatic missions or consular posts in Ireland. There are no Libyan Arab Airline offices in Ireland. The obligations under paragraph 6 (c) are implemented in Ireland under existing legislation.

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ORIGINAL: ENGLISH

NOTE VERBALE DATED 14 MAY 1992 FROM THE PERMANENT MISSION OF CAPE VERDE TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of the Republic of Cape Verde to the United Nations has the honour to inform the Secretary-General that the Cape Verdean Government has taken measures to ensure compliance in our territory of the obligations set out in paragraphs 3 to 7 of Security Council resolution 748 (1992), on sanctions against the Libyan Arab Jamahiriya.

In this regard, the Government of Cape Verde has instructed all governmental departments, as well as private entities concerned to comply with the terms of the resolution.

Furthermore, the public in general has been informed of our obligations under that resolution, through the media.

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